

REMARKS

Claims 13 through 21 are pending in the application.

Claims 13, 15-16, and 18-21 have been amended. Support for the amendments is present throughout the specification and claims as originally filed. No new matter has been introduced by this amendment.

Claims 1-12, 14, 17 and 22-35 have been canceled.

New claims 36 and 37 have been added. Support for claim 36 may be found, for example, on page 19 of the specification. Support for claim 37 may be found, for example, on page 9 of the specification. No new matter has been introduced by the addition of these claims.

Applicants thank the Examiner for withdrawing the 112 rejection from the last Office Action.

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 13 through 18 have been rejected under 35 U.S.C. § 102(b) as being anticipated by May et al. (WO 88/08534). Claims 13 through 21 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Jerome et al. (US 2003/0211634).

Neither May nor Jerome et al. teach or suggest an analytical test device comprising a test strip having a control results zone and a test result zone *and* a control detection means comprising at least one detectable dye reagent disposed along the test strip downstream of the test result zone, wherein the at least one detectable dye reagent is mobilizable by the applied liquid sample *and the movement of the at least one detectable reagent in, into or out of the control results zone indicates that at least a portion of a liquid sample applied to the device has moved through said test result zone and the completion of the assay.*

Reconsideration and withdrawal of the rejections is respectfully requested.

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Conclusion

In view of the above amendments and remarks, the Applicants believe that the pending claims are in condition for allowance. If a telephone conversation with Applicant's Attorney would expedite prosecution of the application, the Examiner is urged to contact the undersigned.

Respectfully submitted,
FOLEY, HOAG LLP

/Jennifer A. Zarutskie/
Jennifer A. Zarutskie, Ph.D.
Reg. No. 50,558
Attorney for Applicants

Customer No: 63767
Patent Group
Foley, Hoag LLP
155 Seaport Blvd.
Boston, MA 02210-2600
Tel. (617) 832-1000
Fax. (617) 832-7000

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